



POLICE DEPARTMENT  
Deputy Commissioner, Equal Employment Opportunity  
One Police Plaza, Room 1204  
New York, NY 10038  
(646) 610-5330

**CONFIDENTIAL**

**COPY**

July 7, 2015

Re: DCEEO Case # 79 s.15

Marash Vucinaj  
86-48 110<sup>th</sup> Street  
Richmond Hill, NY 11418

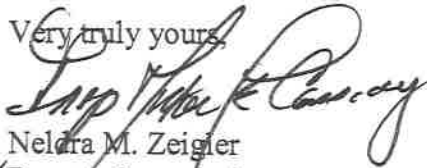
Dear Captain Vucinaj:

The investigation of allegations reported by you on April 24, 2015, carried under DCEEO Case # 79s.15, has been completed. You informed the assigned investigator, Detective Tiesha Loftin-Batts, that you observed offensive material on a public website discussion forum regarding NYPD promotional exams. Sergeant Natalie Bishop of my office informed you that although the investigation of your complaint did not rise to the level of employment discrimination under Title VII of the Civil Rights Act of 1964, or applicable state or local laws, this matter was addressed in that the offensive material was removed from the website.

You are invited to comment on the disposition of your complaint and to evaluate the EEO process. Your comments, if any, shall be documented in the DCEEO case file, and shall be brought to my attention. In addition, you are invited to complete and return the enclosed *EEO Complainant Questionnaire* to this office.

As stipulated in Patrol Guide procedure 205-36, you have the right to file an employment discrimination complaint with an external agency. If you have any questions, my staff and I would be happy to assist you by calling (646) 610-5330.

Very truly yours,

  
Neldra M. Zeigler  
Deputy Commissioner  
Equal Employment Opportunity

**RETALIATION IS PROHIBITED**  
COURTESY • PROFESSIONALISM • RESPECT

ENCL #16(10F1)

DEFS000586



# DEPUTY COMMISSIONER EQUAL EMPLOYMENT OPPORTUNITY

## CASE REPORT

**CASE# C-2015-0079**

<b>Command of Occurrence</b>	PATROL BORO QUEENS SOUTH	<b>Report Method</b>	PHONE
<b>Date/Time Entered</b>	04/24/2015 15:53	<b>Date/Time Reported</b>	
<b>Intake Investigator</b>	LOFTIN915924	<b>Assign. Investigator</b>	LOFTIN915924

### REPORTED BY INFORMATION

<b>T/R #</b>	<b>D.O.B</b>	<b>Appt. Date</b>
<b>Rank / Title</b>		<b>Rank Date</b>
<b>First Name</b>	<b>MI</b>	<b>Last Name</b>
<b>COMMAND</b>	<b>()</b>	<b>Assn.Date</b>

### COMPLAINANT INFORMATION

<b>T/R #</b>	<b>907538</b>	<b>D.O.B.</b>	12/3/1972	<b>Appt.Date</b>	2/28/1994
<b>Rank / Title</b>	CAPTAIN			<b>Rank Date</b>	12/23/2009
<b>First Name</b>	MARASH	<b>MI</b>		<b>Last Name</b>	VUCINAJ
<b>Home Address</b>	86-48 110 STREET				
<b>City</b>	RICHMOND HILL	<b>State</b>	NY	<b>Zip Code</b>	11418
<b>Home Telephone #</b>	(718)200-5828				
<b>Command</b>	(171) PATROL BORO QUEENS SOUTH			<b>Assn. Date</b>	10/14/2014
<b>Gender</b>	M	<b>Race</b>	WHITE		
<b>Was a Charge filed with an external agency</b>	NO				
<b>Charges(s) filed with</b>					

### INCIDENT INFORMATION

<b>Incident Date</b>	04/2015	<b>Incident Time</b>	VARIOUS
<b>Location</b>	POSTED ON WEBSITE		

### ALLEGATION INFORMATION

<b>Allegation</b>	RACE
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DEPUTY COMMISSIONER EQUAL EMPLOYMENT  
OPPORTUNITY

**CASE REPORT**

**CASE# C-2015-0079**

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**COMPLAINT NARRATIVE**

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RACE: P.G. 205-37

CAPT. MARASH VUCINAJ T/R #, M/W, PBQS, CONTACTED THIS OFFICE TO REPORT ALLEGED RANTS ON THE "RISING STAR PROMOTIONS" WEBSITE. HE STATED THERE WERE DISPARAGING REMARKS POSTED BY SUPERVISORS OF NYPD IN REGARD TO THE 2015 LIEUTENANT'S EXAM ON 04/18/15.

THIS CONVERSATION WAS DIGITALLY RECORDED.

supervisors because the remarks were in reference to a promotional exam to the rank of Lieutenant and this type of exam would be taken by sergeants within the Department.

Vucinaj further stated that "inappropriate remarks" were also posted on the "Rising Star Promotions" website in 2011. Vucinaj provided a copy of a message board titled, "Captain in charge of the test." A review revealed that this message board was dated 11/23/11 and a remark stated, "Captain in charge of the test is ESL himself." It was further explained that "ESL" meant English as a second language. Vucinaj provided a copy of another message board titled, "Finally...a test that will weed out all the Sgt's who don't know how to speak English" and "Biggest complainers of this test do not speak English well." These message boards were dated 10/31/11 and discussed grammar and the English language as it pertained to promotional exams as well as members of the service.

Vucinaj stated that he also observed additional remarks on message boards which did not fall under the purview of this office. Vucinaj notified the Internal Affairs Bureau and was assigned IAB Log #2015-10349, in regard to an unknown person(s) posting Vucinaj's full name on a message board as well as discussing official Department business. Vucinaj stated that an unknown person(s) discussed an incident in which Vucinaj issued a Command Discipline to a member of the service who was shot. Vucinaj stated that the message boards containing the above remarks have been removed. Vucinaj also notified the Office of the Inspector General and reported that Lieutenant Brian McMenamin, T/R #930709, M/W, Specialized Training Section, from the review panel for the 2015 Lieutenant's Exam, disclosed confidential information pertaining to the exam. This allegation was documented under Inspector General Case #C15-0122.

Based on the above the following respondent(s) and allegations were identified:

**Respondent(s):**

Unknown

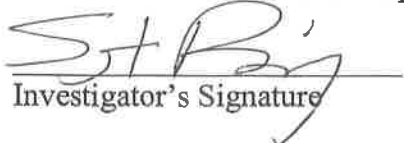
**Allegation:**

(A) **Race: P.G. 205-37**, in that on 04/24/15, Captain Marash Vucinaj observed that an unknown person(s) wrote remarks on the "Rising Star Promotions" website, which mimicked an Asian accent.

(B) **Gender: P.G. 205-37**, in that on 04/24/15, Captain Marash Vucinaj observed that an unknown person(s) wrote remarks on the "Rising Star Promotions" website, which contained the terms "pussification" and "bitches."

Vucinaj stated that he could be reached at telephone number, (347) 839-0327. Vucinaj was provided with DCEEO Case #079s15.

The above telephone conversation was digitally recorded (Recording # 1).

  
Investigator's Signature

  
Supervisor's Signature

  
Date

**POLICE DEPARTMENT  
CITY OF NEW YORK**

**CONFIDENTIAL**

**INVESTIGATING OFFICER'S REPORT**

From:	Sergeant Natalie Bishop	Command:	DCEEO
Case #:	079s.15		
Subject:	<b>Case Intake</b>		
Time:	1650 hours	Date:	06/29/15

Related Enclosure(s) # 1-5

Related Recording(s) # 1

On 06/29/15, I was assigned DCEEO Case #079s.15. The initial intake was done by Detective Tiesha Loftin-Batts. On 04/24/15 at approximately 1452 hours, Captain Marash Vucinaj, T/R #907538, M/W, PBQS, contacted this office in regard to "inappropriate remarks," posted on the "Rising Star Promotions" website. A review of the initial intake and Vucinaj's reporting supervisor's letter containing copies of the message boards from the "Rising Star Promotions" website, revealed the following:

Captain Vucinaj stated that he was on the writing panel for the most recent Lieutenant's Exam, which was administered on 04/18/15. On 04/24/15, Vucinaj viewed message boards on the "Rising Star Promotions" website in order to obtain feedback on the exam. The above website and message boards are public and open to anyone to view and/or make comments. The website is associated with courses for uniformed members of the service who are taking promotional exams administered by DCAS. It is owned and operated by Deputy Inspector Edward Carrasco, T/R #915417, M/A, Leadership Training Section and Deputy Inspector Anthony Raganella, T/R #916508, M/W, Disorder Control Unit. Vucinaj stated that he observed "inappropriate remarks" on a message board titled "Big News." Vucinaj stated that numerous remarks used profanity and there was a remark written in "stereotype of accent" of an Asian person.

A review of a copy of the message board titled "Big News," was consistent with the above information provided by Vucinaj. On 04/23/15, an individual identified as "queensfinest" wrote, "Hey su madre did u use a highwyta on the testor did you use a wed pen." On that same date, an individual identified as "Su Madre 24" wrote "The Asian Gestapo said no highwigha, no highwigha, no highwighas!! Or wed pen." It was further written by "Su Madre 24," that "he actually spoke in the stereotypical broken English." These posts led to various discussions and/or debates as to whether the above was a "racist" remark. An individual identified as "tryhardR" wrote, "the pussification of America continues" in response to the various opinions expressed while an individual identified as "PD2FD" wrote, "this job really is full of a bunch of bitches." Both of the above remarks based on gender were also written on 04/23/15. Vucinaj stated that he reported the above matter because of his responsibilities as a supervisor. Vucinaj further stated that he would also like to be a complainant in that he was offended by the remarks because they were unprofessional and written by supervisors within the Department. Vucinaj explained that it is his speculation that the remarks were written by

Worksheet # 1

Page 1 of 2

**DEFS000615**



A review of the above message boards was consistent with the information provided by Captain Vucinaj during the initial intake. Screen names are used in regard to writing posts on message boards contained within the "Rising Star Promotions" website, and as a result the identities of individuals are unknown. On 05/18/15, Captain James Kobel, Executive Officer, DCEEO, spoke to Deputy Inspector Carrasco in regard to the above matter. Carrasco stated that he is an owner of the "Rising Star Promotions" and assists in the operation of the website. Carrasco further stated that only emails are provided when setting up an account for a screen name and no further pedigree information such as first and/or last names are required and/or obtained. Carrasco also stated that he would remove remarks on message boards at the direction of this office. On 07/01/15, I spoke to Carrasco on the telephone and requested that he remove the offensive material reported to this office during the initial intake. On 07/01/15, Carrasco sent me an email confirming that the offensive material was removed. A review of the "Rising Star Promotions" website was conducted on 07/03/15 and confirmed that the condition was corrected.

A review of the EEO database revealed that Captain Vucinaj is listed as a respondent in one (1) prior EEO case. It was alleged that Vucinaj made disparaging remarks based on race, gender, and national origin while assigned to a panel responsible for writing questions for the 2015 Lieutenant Exam. The disposition of this case is pending because the investigation into the allegations has not been completed and the case remains active.

Based on the above, I recommend EEO Case #079s.15 be closed Admin "E" – Information and Intelligence, to file.

  
Investigator's Signature

  
Supervisor's Signature

  
Date

**POLICE DEPARTMENT  
CITY OF NEW YORK**

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**INVESTIGATING OFFICER'S REPORT**

From: Sergeant Natalie Bishop Command: DCEEO  
Case #: 079s.15  
Subject: **Case Recommendation**  
Time: 1135 hours Date: 07/03/15

Related Enclosure(s) #\_

Related Recording(s) # \_\_

On 04/24/15, Captain Marash Vucinaj, T/R #907538, M/W, PBQS, contacted this office in regard to "inappropriate remarks," posted on the "Rising Star Promotions" website. Vucinaj observed remarks in a message board titled "Big News," which contained profanity as well as a remark written in "stereotype of accent" of an Asian person. A review of the message board revealed that on 04/23/15, an unknown person(s) wrote, "did u use a highwyta on the testor did you use a wed pen," and another unknown person(s) replied, "The Asian Gestapo said no highwighta, no highwighta, no highwightas!! Or wed pen." In addition, an unknown person(s) wrote, "the pussification of America continues" in response to the various opinions expressed and another unknown person(s) wrote, "this job really is full of a bunch of bitches." Both of the above remarks based on gender were also written on 04/23/15.

Vucinaj reported that "inappropriate remarks" were also posted on the website in 2011. Vucinaj provided a copy of a message board which stated that the "Captain in charge of the test is ESL himself." Vucinaj provided a copy of another message board titled, "Finally...a test that will weed out all the Sgt's who don't know how to speak English" and "Biggest complainers of this test do not speak English well." These message boards were dated 10/31/11 and discussed grammar and the English language as it pertained to promotional exams as well as members of the service.

Based on the above the following allegations were identified:

**(A) Race: P.G. 205-37**, in that on 04/24/15, Captain Marash Vucinaj observed that an unknown person(s) wrote remarks on the "Rising Star Promotions" website, which mimicked an Asian accent.

**(B) Gender: P.G. 205-37**, in that on 04/24/15, Captain Marash Vucinaj observed that an unknown person(s) wrote remarks on the "Rising Star Promotions" website, which contained the terms "pussification" and "bitches."